IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA EASTERN DIVISION

THOMAS EDWARD DIXON,)	
# 163 115,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 3:08-cv-323-WKW
)	
LEON FORNISS, WARDEN, et al.,)	
)	
Respondents.)	

ORDER

This case is before the court on Petitioner's Objection (Doc. # 5) to the Recommendation of the Magistrate Judge (Doc. # 4). After an independent and *de novo* review of the file in this case and upon consideration of the Recommendation and petitioner's objection, it is ORDERED that:

- 1. The Objection (Doc. # 5) to the Recommendation of the Magistrate Judge is OVERRULED;
 - 2. The Recommendation of the Magistrate Judge (Doc. #4) is ADOPTED; and
 - 3. The Petition for Writ of Habeas Corpus (Doc. # 1) is DISMISSED without prejudice.

 An appropriate judgment will be entered.

DONE this 19th day of June, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE